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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/691,889	10/23/2003	Charles W. Stabb	MFCP.109833	8998

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EXAMINER
SHIH, HAOSHIAN

ART UNIT	PAPER NUMBER
2196	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	12/19/2006	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

PTOL-90A (Rev. 10/06)

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _23 October 2003_.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-31_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-31_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _1/12/2004_.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

DETAILED ACTION

1.   Claim 1-31 are pending in this application and have been examined.

Double Patenting   .

2.   The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the "right to exclude" granted by a patent and to prevent possible harassment by multiple assignees.   A nonstatutory obviousness-type double patenting rejection is appropriate where the conflicting claims are not identical, but at least one examined application claim is not patentably distinct from the reference claim(s) because the examined application claim is either anticipated by, or would have been obvious over, the reference claim(s). See, e.g., *In re Berg*, 140 F.3d 1428, 46 USPQ2d 1226 (Fed. Cir. 1998); *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); and *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) or 1.321(d) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent either is shown to be commonly owned with this application, or claims an invention made as a result of activities undertaken within the scope of a joint research agreement.

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

3.   Claims 1, 4, 7-17 and 19-31 are provisionally rejected on the ground of

nonstatutory obviousness-type double patenting as being unpatentable over claim 1, 2,

3-6, 8, 9, 13, 15, 16, 20, 25,27, 30-34 of copending Application No. 10691887, hereafter

'887. Although the conflicting claims are not identical, they are not patentably distinct

from each other because there is a correspondence relationship between the two

applications.

This is a provisional obviousness-type double patenting rejection because the

conflicting claims have not in fact been patented.

4.   Independent claims 1,19, 27, and 31 of the instant application includes limitation

that directed to means for obtaining a user selection to preview a set of data; means for

accessing the set of data; means for generating a preview image with the data; and

means for generating instructions for rendering a preview image. Claims 1,15, 31, and

34 in '887 include limitations that are similar or obvious from those limitations.

5.   Dependent claims 2-18, 20-26, and 28-30 of the instant application includes

limitations that are similar or obvious from claims 2-14, 16-30, 32-33 of '887.

Claim Rejections - 35 USC § 112

6.   The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly
> claiming the subject matter which the applicant regards as his invention.

7.   Claims 20-26 recites the limitation "computer-implemented method" in line 1.

There is insufficient antecedent basis for this limitation in the claims.

Claim Rejections - 35 USC § 102

8.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public
> use or on sale in this country, more than one year prior to the date of application for patent in the United
> States.

9.   **Claims 1-4 and 7-31 are rejected under 35 U.S.C. 102(b) as being**

anticipated by Amro et al. ("Amro", US 5,680,561).

10.   As to claim 1, Amro discloses a screen area for receiving user inputs and

displaying at least one item associated with a set of data (fig 3; col 2, line 56-59;

windows 300); and a preview display rendered within the screen area in response to

receiving a user input representing a selection to preview the set of data associated with

the displayed item (col 3, line 11-27; col 4, line 48-52; window 330), wherein at least a

portion of the set of data associated with the displayed item is utilized to generate the

preview display (col 3, line 37-42) and wherein the preview display includes at least a

portion of the display which would result in response to a user input representing a

selection to view the set of data associated with the displayed item (col 3, line 11-27)

11.   As to claim 19, Amro discloses receiving a user input representing a selection to

preview a set of data (fig 3; col 2, line 56-59; windows 300); utilizing at least a portion of

the set of data to generate a preview display in response to said user input (col 3, line

37-42), wherein said preview display includes at least a portion of the display which

would result in response to a user input representing a selection to view the set of data

associated; and rendering said preview display upon a screen area(col 3, line 11-27).

12.   As to claim 27, Amro discloses a user input component for obtaining a user

selection to preview a set of data (fig 3; col 2, line 56-59; windows 300); a data

utilization component for accessing the set of data (col 2, line 59-65; navigation area

comprising elements 320, 322 and 324); a preview generation component for

generating a preview image associated with said set of data (col 3, line 37-42); and an

output component for generating instructions for rendering said preview image on a

screen area (col3, line 37-42).

13.   As to claim 31, Amro discloses means for obtaining a user selection to preview a

set of data (fig 3; col 2, line 56-59; windows 300); means for accessing the set of data

(col 2, line 59-65; navigation area comprising elements 320, 322 and 324); means for

generating a preview image associated with said set of data (col3, line 37-42); and

means for generating instructions for rendering said preview image on a screen area

(col3, line 37-42).

14.   As to claim 2, Amro discloses the screen area utilizes a graphical indicia to

display said displayed item (col 4, line 39-48, mini window).

15.   As to claim 3, Amro discloses the graphical indicia is an icon, a link, or a

bookmark (col 4, line 39-48, object/text in the mini window).

16.   As to claim 4, 7, 8, 9, and 20 Amro discloses the set of data associated with the

displayed item is a computer file, a document file, a word processing document, a

presentation document, a spreadsheet document, a database, an email, or a webpage

(col 1, line 21-24; col 3, line 59 – col 4, line 3; documents being stored and retrieved as files).

17.   As to claim 10, Amro discloses user input is communicated via a mouse, a keyboard, and/or a screen with user input capacity (col 2, line 40-55).

18.   As to claim 11, Amro discloses user input is communicated via a mouse operably coupled with a pointer viewable on said screen area, and wherein said user input is communicated by hovering said pointer over the displayed item for a predetermined period of time (fig3; col 3 line 11 et seq.; navigation area comprising elements 320,322 and 324).

19.   As to claim 12, Amro discloses a preview display is viewable in a display pane which is rendered in response to receiving said user input (col 3, line 11-27; col 4, line 48-52; window 330).

20.   As to claim 13, Amro discloses the preview display is rendered in a display pane which displays primarily said preview display (col 3, line 11-27; col 4, line 48-52; window 330).

21.   As to claims 14, 15, 21 and 28, Amro discloses the data utilized to generate said preview display is capable of being utilized by an application to open the set of data

being previewed (fig 3; window 300 displaying any of the desired document initiated by its associated application).

22.   As to claim 16, Amro discloses the preview display includes at least a portion of a document associated with the set of data being previewed (col 3, line 37-42).

23.   As to claim 17, Amro discloses the preview display is capable of receiving a user input, and wherein said user input received in the preview display represents a selection to open a computer file associated with the set of data being previewed(col 3, line 11-27; col 4, line 48-52; window 330).

24.   As to claim 18, Amro discloses the preview display is capable of receiving a user input, and wherein said user input received in the preview display represents a selection to alter the display presented in said preview display(col 3, line 11-27; col 4, line 48-52; window 330).

25.   As to claims 22 and 29, Amro discloses the preview display includes determining which portion of said set of data being previewed to present in the preview display (col 3, line 37-42).

26.   As to claim 23, Amro discloses the rendering of said preview display creates a separate display pane upon said screen area (fig3, window 330).

27.   As to claim 24, Amro discloses receiving a user selection to perform an operation

with respect to said set of data (col 3, line 11-27).

28.   As to claim 25, Amro discloses performing said operation with respect to said set

of data (col 3, line 11-27).

29.   As to claim 26, Amro discloses hiding said preview display in response to

receiving a user input subsequent to the user input representing a selection to preview

the set of data (col 4, line 48-52; mini window being removed).

30.   As to claim 30, Amro discloses the preview image includes at least a portion

of the display which would result in response to a user input representing a selection

to view the set of data(col 3, line 11-27).

Claim Rejections - 35 USC § 103

31.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

32.   Claims 5 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Amro.

33.   As to claim 5, Amro discloses a connection to other networks (fig 2, workstation

200; col 2, line 18-20), but fails to explicitly disclose the set of data associated with the

displayed item is located on a remote computer

Official notice is taken that retrieving data from a remote computer is well known and

expected in the art, such as receiving files from a remote file server/database,

accessing web pages, etc.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the

invention was made to modify Amro by receiving a set of data associated with the

display item located on a remote computer for the benefit of data accessing

convenience and ease of data management.

34.   As to claim 6, Amro discloses a connection to other networks (fig 2, workstation

200; col 2, line 18-20), but fails explicitly disclose the set of data associated with the

displayed item is accessible over a network, over an intranet, or over the Internet.

Official notice is taken that retrieving data over a network, over an intranet, or over the Internet is well known and expected in the art, such as receiving files from a remote file server/database, accessing web pages, etc.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify Amro by receiving a set of data associated with the display item located on a remote computer for the benefit of data accessing convenience and ease of data management.

Conclusion

35.   The prior art made of record and not relied upon is considered pertinent to the applicant's disclosure.

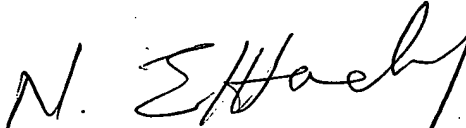Gegner et al. WO 03/104966 A2

36.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Haoshian Shih whose telephone number is (571) 271-1257. The examiner can normally be reached on m-f 0730-1700.

        If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nabil El-Hady can be reached on (571)272-3963. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

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USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

HSS

N. El-Hady

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SUPERVISORY PATENT EXAMINER